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United Nations

Commission on Crime Prevention and Criminal Justice

Report on the reconvened twenty-fourth session (10-11 December 2015)

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Note

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Contents

		Page
I.	Matters calling for action by the Economic and Social Council or brought to its attention	1
A.	Draft decisions for adoption by the Economic and Social Council	1
I.	Report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-fourth session	1
II.	Organization of the thematic discussions at future sessions of the Commission on Crime Prevention and Criminal Justice	1
B.	Matters brought to the attention of the Economic and Social Council	2
Resolution 24/3	Budget for the biennium 2016-2017 for the United Nations Crime Prevention and Criminal Justice Fund	2
II.	Strategic management, budgetary and administrative questions	6
A.	Deliberations	7
B.	Action taken by the Commission	9
III.	Provisional agenda for the twenty-fifth session of the Commission	10
A.	Deliberations	10
B.	Action taken by the Commission	11
IV.	Other business	12
V.	Adoption of the report of the Commission on its reconvened twenty-fourth session	13
VI.	Organization of the session and administrative matters	14
A.	Opening and duration of the session	14
B.	Attendance	14
C.	Documentation	14
D.	Closure of the reconvened twenty-fourth session	15

Chapter I

Matters calling for action by the Economic and Social Council or brought to its attention

A. Draft decisions for adoption by the Economic and Social Council

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

Draft decision I

Report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-fourth session

The Economic and Social Council takes note of the report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-fourth session.

Draft decision II

Organization of the thematic discussions at future sessions of the Commission on Crime Prevention and Criminal Justice

The Economic and Social Council:

(a) Notes that the prominent themes for the twenty-fifth, twenty-sixth and twenty-seventh sessions of the Commission on Crime Prevention and Criminal Justice will be, respectively, "Criminal justice responses to prevent and counter terrorism in all its forms and manifestations, including the financing of terrorism, and technical assistance in support of the implementation of relevant international conventions and protocols", "Comprehensive and integrated crime prevention strategies: public participation, social policies and education in support of the rule of law" and "Criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels";

(b) Decides that the following will be the prominent themes for the twenty-eighth and twenty-ninth sessions of the Commission, respectively, unless the Commission decides otherwise at its twenty-seventh session, taking into account that Member States may submit other proposals for the thematic discussion:

(i) The responsibility of effective, fair, humane and accountable criminal justice systems in preventing and countering crime motivated by intolerance or discrimination of any kind;

(ii) Effective measures to prevent and counter the smuggling of migrants, while protecting the rights of smuggled migrants, particularly women and children, and those of unaccompanied migrant children;

(c) Also decides that the Commission, at its future sessions, should continue to consider ways of further improving its working methods, including with regard to the consideration of agenda items and the organization of its thematic discussions.

B. Matters brought to the attention of the Economic and Social Council

2. The following resolution, adopted by the Commission on Crime Prevention and Criminal Justice at its reconvened twenty-fourth session, is brought to the attention of the Economic and Social Council:

Resolution 24/3

Budget for the biennium 2016-2017 for the United Nations Crime Prevention and Criminal Justice Fund

The Commission on Crime Prevention and Criminal Justice,

Exercising the administrative and financial functions entrusted to it by the General Assembly in its resolution 61/252 of 22 December 2006,

Having considered the report of the Executive Director of the United Nations Office on Drugs and Crime containing the proposed budget for the biennium 2016-2017 for the United Nations Crime Prevention and Criminal Justice Fund[1] and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling that article 101 of the Charter of the United Nations emphasizes the paramount consideration of efficiency, competence and integrity with regard to the recruitment of staff and that due regard shall be paid to the importance of recruiting staff on as wide a geographical basis as possible,

Noting with concern the lack of diversity, in particular equitable geographical representation, within the staff of the Office, and emphasizing that the Office, both at headquarters and in the field, should take more effective measures to ensure the recruitment of a diverse pool of candidates,

Recognizing that the principle of equitable geographical distribution and the goal of equal representation of women in the composition of the Secretariat do not conflict with the paramount consideration in the employment of staff, namely the necessity of securing the highest standard of efficiency, competence and integrity as set out in article 101, paragraph 3, of the Charter of the United Nations,

Recalling General Assembly resolution 69/251 of 29 December 2014, in which the Assembly, inter alia, noted with disappointment the insufficient progress made with regards to achieving the goal of a 50/50 gender balance in the United Nations common system, especially in the Professional and higher categories, and requested the International Civil Service Commission to encourage the organizations of the common system to fully implement existing gender balance policies and measures,

[1] Contained in E/CN.7/2015/17-E/CN.15/2015/20.
[2] E/CN.7/2015/18-E/CN.15/2015/21.

Recognizing the normative functions supported by the Office as part of the Secretariat of the United Nations and stressing the importance of technical assistance, within the mandate of the Office, provided to Member States upon their request and for these purposes, the importance of adequate predictable and stable funding,

Emphasizing that the provisional implementation of the new funding model should, inter alia, not hinder the field operations of the Office or affect delivery,

Underlining the importance of contributions made by Member States, as well as regional and other intergovernmental organizations, and all other donors,

1. *Notes* the progress made in the development of the thematic and regional programme approach to the programme of work of the United Nations Office on Drugs and Crime and in ensuring the full complementarity of the thematic, global, regional and country programmes;

2. *Also notes* that the budget is based, inter alia, on the strategy detailed under programme 13 of the biennial programme plan for the period 2016-2017;[3]

3. *Further notes* that the budget is harmonized with sections 16 and 29G of the proposed programme budget of the United Nations for the biennium 2016-2017;[4]

4. *Notes* that the budget focuses on general-purpose funds and also includes special-purpose funds and programme support cost income earned on special-purpose contributions, as well as regular budget resources;

5. *Also notes* that the general-purpose resources of the Fund of the United Nations International Drug Control Programme and the United Nations Crime Prevention and Criminal Justice Fund are presented as a single budget and that general-purpose expenditure will be apportioned between the two funds in accordance with the income that each generates;

6. *Further notes* that the budget should clearly distinguish between general-purpose funds and programme support cost funds and harmonize the use and management of these two fund categories across the two funds of the United Nations Office on Drugs and Crime, and stresses the importance of a clear and explicit approach to the application of programme support cost charges and their allocation;

7. *Requests* the United Nations Office on Drugs and Crime to strengthen its efforts to further encourage Member States and other interested donors to provide general purpose funding, including by means of further increasing the transparency and quality of reporting;

8. *Notes* that the programme support cost resources of the Fund of the United Nations International Drug Control Programme and the United Nations Crime Prevention and Criminal Justice Fund are presented as a single budget and that programme support cost will be apportioned between the two funds in accordance with the income that each generates;

[3] A/69/6/Rev.1.
[4] A/70/6 (Sect. 16) and (Sect. 29G).

9. *Requests* the Secretariat to take into account, when preparing the proposed programme budget for the biennium 2018-2019, as well as in future programme budgets, the need to ensure posts funded through regular budget resources are appropriately aligned with the Office's treaty-based functions and its core mandates, and to regularly brief Member States at its reconvened sessions on this aspect of the budget proposal;

10. *Requests* the Secretariat to brief Member States regularly on the impact of the implementation of Umoja on the delivery of the Office's programmes in the field, as well as on the generation of programme support cost funds and full cost recovery funds, and the Office's efforts to mitigate that impact;

11. *Notes* that the United Nations Office on Drugs and Crime can allocate programme support cost funds to the field offices, as appropriate, and requests the Office to continue to explore how to best apply programme support cost to field offices;

12. *Requests* the Executive Director to continue to ensure in his reports on the consolidated budget for future bienniums greater transparency and accountability, provide more detailed, timely and structured information and attach appropriate visibility to the contributions and the contributors, including Member States, as well as regional and other intergovernmental organizations and other donors and financing partners;

13. *Requests* the Secretariat to consult with interested Member States before cancelling funded and mandated programmes;

14. *Approves* the projected use of general-purpose funds in the biennium 2016-2017, and invites Member States to provide contributions totalling at least 2,618,400 United States dollars;

15. *Endorses* the programme support cost funds and special-purpose estimates as indicated below:

Resource projections for the United Nations Crime Prevention and Criminal Justice Fund

	Resources (thousands of United States dollars)		*Posts*	
Fund category	*2014-2015 (revised budget)*	*2016-2017*	*2014-2015*	*2016-2017*
General-purpose funds				
Post	4 417.9	2 394.6	13	8
Non-post	266.9	223.8		
Subtotal	**4 684.8**	**2 618.4**	**13**	**8**
Special-purpose funds	285 159.2	289 369.8	188	201
Subtotal	**285 159.2**	**289 369.8**	**188**	**201**
Programme support cost funds				
Post	18 513.9	18 753.4	81	68
Non-post	4 317.0	3 755.5		
Subtotal	**22 830.9**	**22 508.9**	**81**	**68**
Total	**312 674.9**	**314 497.1**	**283**	**277**

16. *Notes* that the resource projections estimated above are subject to the availability of funding;

17. *Reiterates* that the Commission should continue to assess the provisional implementation by the United Nations Office on Drugs and Crime of full cost recovery in the biennium 2016-2017 with regard to efficiency, feasibility and the impact on the integrity and cost of the Office's field offices and projects;

18. *Requests* the United Nations Office on Drugs and Crime to hold, on an ongoing basis, consultations with Member States on all issues on the budget including issues related to full cost recovery, and on programme support costs, including the criteria for their allocation and the impact of the new funding model on the Office's ability to deliver technical assistance to Member States upon their request;

19. *Further requests* that the Secretariat provides budgets for future bienniums to Member States no later than one month prior to their submission to the Advisory Committee on Administrative and Budgetary Questions;

20. *Recalls* General Assembly resolution 65/247 of 24 December 2010, in which the Assembly reiterated its requests to the Secretary-General to present proposals to effectively increase the representation of developing countries in the Secretariat, and requests the United Nations Office on Drugs and Crime, while upholding article 101 of the Charter of the United Nations, to intensify its efforts to ensure the recruitment of staff on as wide a geographical basis as possible, in particular in the Professional and higher categories, by, inter alia, intensifying outreach efforts, and to report on the progress thereon to the Commission at its next session;

21. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to intensify the efforts of the Office to achieve the goal of a 50/50 gender balance within the Professional and higher categories, including for field representatives, while upholding article 101 of the Charter of the United Nations, by, inter alia, intensifying outreach efforts and to report on the progress of such measures to the Commission at its next session;

22. *Remains fully committed* to increasing the effectiveness of the delivery of the technical assistance programmes of the United Nations Office on Drugs and Crime and reaffirms the need to engage in thorough consultations with relevant actors, including beneficiary countries, in advance of any possible changes to the field presence of the Office;

23. *Reiterates* that full cost recovery cannot be applied retroactively except through bilateral agreements between the United Nations Office on Drugs and Crime and the relevant donors, taking into account, as appropriate, the views of recipient countries.

Chapter II

Strategic management, budgetary and administrative questions

3. At the 1st meeting of the reconvened twenty-fourth session of the Commission on Crime Prevention and Criminal Justice, held jointly with the reconvened fifty-eighth session of the Commission on Narcotic Drugs on 10 December 2015, the Commission on Crime Prevention and Criminal Justice considered agenda item 3, which read as follows:

"Strategic management, budgetary and administrative questions:

"(a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

"(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;

"(c) Working methods of the Commission;

"(d) Staff composition of the United Nations Office on Drugs and Crime and other related matters."

4. For its consideration of item 3, the Commission had before it the following:

(a) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2015/6/Add.1-E/CN.15/2015/6/Add.1);

(b) Report of the Executive Director on the consolidated budget for the biennium 2016-2017 for the United Nations Office on Drugs and Crime (E/CN.7/2015/17-E/CN.15/2015/20);

(c) Report of the Advisory Committee on Administrative and Budgetary Questions on the consolidated budget for the biennium 2016-2017 for the United Nations Office on Drugs and Crime (E/CN.7/2015/18-E/CN.15/2015/21);

(d) Conference room paper on the proposed strategic framework for the period 2018-2019 for the United Nations Office on Drugs and Crime (E/CN.7/2015/CRP.8-E/CN.15/2015/CRP.8).

5. The Director of the Division for Management and the Director of the Division for Policy Analysis and Public Affairs of the United Nations Office on Drugs and Crime (UNODC) made introductory statements. The representative of Spain, in his capacity as co-chair of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, also made an introductory statement.

6. Statements were made by the observers for Chile (on behalf of the Group of 77 and China) and Luxembourg (on behalf of the States members of the European Union). Statements were also made by the representatives of Mexico, the Republic of Korea, the Russian Federation, Brazil, China, Italy, Canada, the United States of

America, Japan, Colombia, Ecuador and Nigeria. The observers for Turkey, Sweden, Angola and the Plurinational State of Bolivia also made statements.

A. Deliberations

7. Many speakers expressed their appreciation for the work done within the framework of the standing open-ended intergovernmental working group on improving the financing and governance and the financial situation of the United Nations Office on Drugs and Crime and commended the leadership of the co-chairs of the working group. It was noted that the working group provided an appropriate forum for discussions on UNODC programme development and implementation through a process of consultation and review, thereby strengthening trust, transparency and effectiveness, and deepening the understanding and enhancing the communication between Member States and the Office. Support was expressed for the vital oversight roles played by the two Commissions as governing bodies.

8. Several speakers welcomed the consolidated budget for being realistic and in line with the strategy for the Office. UNODC was requested to ensure the timely submission to Member States of reports on the consolidated budgets for future bienniums.

9. The increase in special-purpose contributions was welcomed as a sign of donors' recognition of UNODC capacities in implementing projects. However, concern was expressed regarding the continuing decline in general-purpose resources, as such core resources were the most important vehicle for the implementation of the Office's strategy, the exercise of effective corporate oversight and the launch of new initiatives and programmes.

10. The need for UNODC to deliver as "One United Nations" and to strengthen cooperation between United Nations funds and programmes at all levels, in line with Transforming our world: the 2030 Agenda for Sustainable Development and the Addis Ababa Action Agenda, was emphasized.

11. Several speakers recognized that full cost recovery enhanced transparency and cost efficiencies, and supported the extension to the end of 2017 of the transition towards the new funding model, including reporting on results and lessons learned. It was recognized that UNODC had maintained a realistic pace of transition to the new funding model, without unduly compromising the effectiveness of its programme delivery and the integrity of its field office network. Concern was expressed regarding the sharp increase in the rate of full cost recovery for the next biennium. Reference was also made to the work of the interdivisional Senior-Level Full Cost Recovery Monitoring Committee.

12. Speakers expressed the view that the use of the programme support cost funds should not be limited to UNODC headquarters and that it should continue to fund some field office costs. Some speakers reaffirmed the need to engage in thorough consultations among relevant actors, including recipient countries, in advance of any possible changes to the field presence of UNODC.

13. Several speakers noted the ongoing efforts of UNODC to continuously improve its management, administrative and financial processes. The developments in the area of risk management and risk mitigation were seen as positive. The

commitment of the Office to successfully implementing the new United Nations Secretariat-wide enterprise resource planning project, Umoja, was noted, while concern was expressed regarding the impact of implementation of Umoja on programme delivery in the field and on the financial situation of UNODC. The Secretariat was requested to inform Member States on the progress made, including access to reporting information for Member States.

14. Regarding the staff composition of UNODC and related matters, many speakers expressed regret that the principle of equitable geographic distribution had not been reflected in the composition of the staff of UNODC. The Executive Director of UNODC was requested to take action to increase the representation of developing countries in the Secretariat, in particular at the professional, senior and policymaking levels in order to ensure equitable geographic representation.

15. Reference was made to General Assembly resolution 69/251, and it was noted that, although some progress had been made by the Office in achieving gender parity, further efforts were needed. The Executive Director was also requested to achieve equal representation of women at the senior and policymaking levels in order to reach 50/50 parity, and to report on progress made to the Commissions at their next sessions. It was noted that equitable geographic distribution and gender parity would positively influence the effectiveness of the work of UNODC, and the Secretariat was requested to seek ways to improve its recruitment policies in order to recruit candidates from developing countries. The Executive Director was requested to submit to the Commissions at their next sessions, officially and in written form, documentation on the staff composition of UNODC, as well as on progress made in that regard.

16. The Secretariat was also encouraged to provide more information on how the distribution of regular budget posts within UNODC was related to the treaty-based functions and core mandates of the Office.

17. Regarding the strategic framework for the period 2018-2019 for UNODC, one speaker noted that UNODC should fully implement its mandates in accordance with the Charter of the United Nations and universal legal instruments, as well as in line with the rules and procedures of UNODC, and that the balance between the different components of the Office's activities should be ensured. It was noted that the programme of work should be aligned with the objectives and goals of the 2009 Political Declaration and Plan of Action on International Cooperation towards an Integrated and Balanced Strategy to Counter the World Drug Problem and the Joint Ministerial Statement of the 2014 high-level review of its implementation. Support was expressed for the strategic framework for the period 2018-2019, which was before the Commission for its review.

18. The importance of a cohesive, programmatic reporting framework, regular and comprehensive reporting, accountability, a culture of evaluation and linkages to result-based management was underlined. The important work of the Independent Evaluation Unit was highlighted, and appreciation was expressed for the resumption of publication, in 2015, of the UNODC annual report.

19. Reference was made to the need for UNODC to provide, within its mandate, technical assistance to Member States, upon request, with the provision of adequate, predictable and stable funding for that purpose.

B. Action taken by the Commission

20. At the joint meeting, on 10 December 2015, the Commission took note of Economic and Social Council decision 2015/234, in which the Council extended the mandate of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime, until the sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice to be held in the first half of 2017, and elected Hernán Estrada Román (Nicaragua), and Ignacio Baylina Ruíz (Spain), as co-chairs of the working group in accordance with the procedure set out in Commission on Narcotic Drugs resolution 52/13 and Commission on Crime Prevention and Criminal Justice resolution 18/3.

21. At its 2nd meeting, on 11 December 2015, the Commission adopted a revised draft resolution entitled "Budget for the biennium 2016-2017 for the United Nations Crime Prevention and Criminal Justice Fund". (For the text, see chap. I, sect. B, resolution 24/3.)

Chapter III

Provisional agenda for the twenty-fifth session of the Commission

22. At its 2nd meeting, on 11 December 2015, the Commission considered agenda item 9, entitled "Provisional agenda for the twenty-fifth session of the Commission". The Chair introduced the item and brought to the attention of the Commission matters relating to the organization of work for its twenty-fifth session.

23. Statements were made the representatives of China, Pakistan, the Russian Federation, Italy, Japan, Ecuador, the United States, the United Kingdom of Great Britain and Northern Ireland, Morocco, Brazil and the Republic of Korea. The observers for India, Australia, Egypt and France also made statements.

A. Deliberations

1. Duration of the twenty-fifth session and other arrangements

24. The Chair recalled that the extended Bureau, at its meeting on 27 November 2015, had recommended Monday, 23 May to Friday, 27 May 2016, as the dates for the twenty-fifth session of the Commission, with pre-session informal consultations to be held on Friday, 20 May 2016. At that meeting, the extended Bureau had also recommended 1 and 2 December 2016 as the dates for the reconvened twenty-fifth session of the Commission.

25. It was brought to the attention of the Commission that, in accordance with its decision 21/1, the firm deadline for the submission of draft resolutions would be one month prior to the commencement of the session. Draft resolutions for the twenty-fifth session would thus have to be submitted by Monday, 25 April 2016, at noon.

2. Thematic discussion

26. The Commission considered the proposed topics for the thematic discussions at future sessions of the Commissions as contained in the draft decision tabled by the Chair of the Commission. The Commission decided that the topic for its twenty-fifth session would be as follows: "Criminal justice responses to prevent and counter terrorism in all its forms and manifestations, including the financing of terrorism, and technical assistance in support of the implementation of relevant international conventions and protocols".

3. Workshop of the United Nations crime prevention and criminal justice programme network

27. The Commission decided to accept a proposal from the United Nations crime prevention and criminal justice programme network to organize, as it had done in previous years, a workshop on a topic related to technical assistance of relevance to the work of the Commission, to be chaired by a member of the Bureau, prior to the consideration of draft resolutions by the Committee of the Whole.

B. Action taken by the Commission

28. At its 2nd meeting, on 11 December 2015, the Commission endorsed the dates, deadlines and arrangements for its twenty-fifth session referred to in paragraphs 24-27 above.

29. At the same meeting, the Commission recommended a draft decision for adoption by the Economic and Social Council, entitled "Organization of the thematic discussions at future sessions of the Commission on Crime Prevention and Criminal Justice" (E/CN.15/2015/L.12), as orally amended. (For the text, see chap. I, sect. A, draft decision II.)

Chapter IV

Other business

30. At its 2nd meeting, on 11 December 2015, the Commission considered the agenda item entitled "Other business". No issues were raised under this agenda item.

Chapter V

Adoption of the report of the Commission on its reconvened twenty-fourth session

31. At its 2nd meeting, on 11 December 2015, the Commission adopted the parts of its report on the organization of the session and administrative matters and on item 3 of the agenda (E/CN.15/2015/L.1/Add.7 and 8). The Commission also adopted a draft decision, introduced by the Chair, on the report of the Commission on its reconvened twenty-fourth session, for adoption by the Economic and Social Council. (For the text, see chap. I, sect. A., draft decision I.) The Commission also decided to entrust the finalization of the report to the Chair of the Commission, with the assistance of the Rapporteur.

Chapter VI

Organization of the session and administrative matters

A. Opening and duration of the session

32. The Commission on Crime Prevention and Criminal Justice held its reconvened twenty-fourth session in Vienna on 10 and 11 December 2015.

33. The Economic and Social Council, in its decision 2011/259, entitled "Joint meetings of the reconvened sessions of the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice", decided that, starting in 2011, the Commission on Narcotic Drugs and the Commission on Crime Prevention and Criminal Justice would hold joint meetings during their reconvened sessions for the sole purpose of considering agenda items included in the operational segment of the agendas of both Commissions, with a view to providing integrated policy directives to the United Nations Office on Drugs and Crime on administrative, budgetary and strategic management issues. The Council also decided that the practice of holding back-to-back reconvened sessions of the Commissions would be continued to enable each Commission to consider, in separate meetings, agenda items included in the normative segment of its agenda.

34. The Commission held a total of two meetings. In accordance with the Economic and Social Council decision 2011/259, one meeting of the Commission on Crime Prevention and Criminal Justice was held jointly with the Commission on Narcotic Drugs on the first day of the reconvened session, on 10 December, in order to consider item 3 of the agendas of both Commissions.

35. At the joint plenary meeting, on 10 December 2015, the Chair of the Commission on Narcotic Drugs and the First Vice-Chair, on behalf of the Chair of the Commission on Crime Prevention and Criminal Justice, made statements.

B. Attendance

36. The reconvened twenty-fourth session was attended by representatives of 28 States members of the Commission (12 were not represented). Observers for other States Members of the United Nations, representatives of entities of the United Nations system and observers for intergovernmental and non-governmental organizations also attended. A list of participants is contained in document E/CN.15/2015/INF/3/Rev.1.

C. Documentation

37. The documents before the Commission at its reconvened twenty-fourth session are listed in E/CN.15/2015/CRP.7/Add.1.

D. Closure of the reconvened twenty-fourth session

38. At the 2nd meeting, on 11 December, a closing statement was made by the First Vice-Chair, on behalf of the Chair of the Commission.